

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MODESTO ANDRES COVARRUBIAS,

Plaintiff,

vs.

THE UNITED STATES DISTRICT
COURT OF LANCASTER COUNTY
COURTS, DISTRICT COURT, and
IDEAUS, Judge;

Defendants.

8:18CV333

**MEMORANDUM
AND ORDER**

This matter is before the court on Plaintiff's correspondence which the court construes as a motion to reopen his case. ([Filing No. 10](#).) Plaintiff states, "I would like to proceed in my law suit if I can get to proceed in this form the letter that I reaceave [sic] was accurate it shows that I made done more time than what my charge appended I would like to proceed in getting my money that I decerve [sic]" (*Id.*)

The court dismissed this matter without prejudice on September 20, 2018, because Plaintiff failed to respond to the court's order to show cause for his failure to pay his initial partial filing fee and failed to pay the filing fee. (Filing Nos. [8](#) & [9](#).) This matter has been closed for over eleven months. If Plaintiff wishes to pursue his claims, he will need to file a new action and request to proceed in forma pauperis. If Plaintiff is still incarcerated, then he will be required to pay the full filing fee even if he is allowed to proceed in forma pauperis. *See* 28 U.S.C. § 1915(b). Accordingly,

IT IS THEREFORE ORDERED that:

1. Plaintiff's motion to reopen his case ([filing no. 10](#)) is denied.
2. The clerk of the court is directed to send a copy of this Memorandum and Order to the address on file for Plaintiff and to 5501 Ashland Rd., Ceresco, NE 68017 pursuant to Plaintiff's request in his motion.

Dated this 30th day of August, 2019.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Judge